

HOUSE JOINT RESOLUTION

H.J.R. No. 114

A JOINT RESOLUTION

proposing a constitutional amendment relating to the amending of a home rule charter by a city with a population of 5,000 or less.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article XI, Section 5, of the Texas Constitution is amended to read as follows:

Sec. 5. Cities having more than five thousand (5000) inhabitants may, by a majority vote of the qualified voters of said city, at an election held for that purpose, adopt or amend their charters. *If the number of inhabitants of cities that have adopted or amended their charters under this section is reduced to five thousand (5000) or fewer, the cities still may amend their charters by a majority vote of the qualified voters of said city at an election held for that purpose. The adoption or amendment of charters is[,] subject to such limitations as may be prescribed by the Legislature, and [providing that] no charter or any ordinance passed under said charter shall contain any provision inconsistent with the Constitution of the State, or of the general laws enacted by the Legislature of this State. Said[;—said] cities may levy, assess and collect such taxes as may be authorized by law or by their charters; but no tax for any purpose shall ever be lawful for any one year, which shall exceed two and one-half per cent. of the taxable property of such city, and no debt shall ever be created by any city, unless at the same time provision be made to assess and collect annually a sufficient sum to pay the interest thereon and creating a sinking fund of at least two per cent. thereon. Furthermore,[;—and provided further, that] no city charter shall be altered, amended or repealed oftener than every two years.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 1991. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment allowing home-rule cities with a population of 5,000 or less to amend their charters by popular vote."

Passed by the House on May 21, 1991, by the following vote: Yeas 148, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 114 on May 25, 1991, by the following vote: Yeas 135, Nays 0, 1 present, not voting. Passed by the Senate, with amendments, on May 24, 1991, by the following vote: Yeas 31, Nays 0.

Filed with the Secretary of State, May 27, 1991.

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